

Exhibit A

MICROSOFT'S MOTION TO COMPEL - EXHIBIT A
[CORRECTED] Plaintiffs' Objections and Responses to Defendant Microsoft Corp.'s
Third Set of Interrogatories (Nos. 19-20) (excerpt)

Game Engine developed by Terminal Reality and incorporating the inventions claimed in the Asserted Patents. Terminal Reality granted Microsoft access to the source code for the Infernal Game Engine on a confidential basis. Microsoft, therefore had knowledge of the functionality of source code implementing the inventions of the Asserted Patents as well as the Asserted Patents themselves. Discovery is still on-going, and Plaintiffs will supplement their answer to this interrogatory as additional facts supporting this allegation are uncovered.

INTERROGATORY NO. 20:

For each video game and video game engine developed in whole or in part by You or licensed by You that You contend embodies or practices one or more of the Asserted Claims, provide a claim chart that identifies, on an element-by-element basis for each Asserted Claim, where each Asserted Claim is embodied or practiced by the game or game engine, including an identification of what source code satisfies any software limitations of the Asserted Claims.

RESPONSE:

Plaintiffs object to this interrogatory in its entirety as unduly burdensome and not proportional to the needs of the case. This interrogatory is unduly burdensome both in terms of the format required as well as the specificity demanded. Here, Microsoft is demanding a substantive and particularized explanation on an element-by-element basis with citation to specific portions of source code. This level of detail is unduly burdensome and even more so in chart form. The benefit of the requested discovery is not great enough to justify responding with this level of detail and analysis.

Subject to this objection. Plaintiffs respond as follows:

Plaintiffs stipulate that the following games embody the claimed lighting and shadowing methods of the Patents-in-Suit.

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Plaintiffs identify the following Terminal Reality video game engines for the following video games as embodying the claimed lighting and shadowing method of the Patents-in-Suit:

Nocturne

- First sold October 1999
- Nocturne Engine
- Published by Gathering of Developers in North America and Take-Two Interactive in Europe

Blair Witch Volume 1: Rustin Parr

- First sold October 2000
- Nocturne Engine
- Published by Gathering of Developers

Kinect Star Wars

- First sold February 2012
- Infernal Engine
- Published by LucasArts and Microsoft Studios

The Walking Dead: Survival Instinct

- First sold February 2013
- Infernal Engine
- Published by Activision

War Brokers

- Developed by Trebuchet Entertainment, LLC
- First sold April 18, 2018
- Infernal Engine

Published by Trebuchet Entertainment, LLC

Plaintiffs further identify the following products developed by licensed third-party studios that embody the claimed lighting and shadowing methods of the Patents-in-Suit:

Blair Witch Volume 2: Legend of Coffin Rock

- Developed by Human Head Studios
- First sold October 2000
- Nocturne Engine
- Published by Gathering of Developers

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Blair Witch Volume 3: The Elly Kedward Tale

- Developed by Ritual Entertainment
- First sold November 2000
- Nocturne Engine
- Published by Gathering of Developers

Silent Hill: Book of Memories

- Developed by WayForward Technologies
- First sold October 2012
- Infernal Engine
- Published by Konami Digital Entertainment

Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Plaintiffs will make available for inspection the source code for the video game engines for the video games identified above. Plaintiffs do not have possession, custody or control over the source code for any video games which may have implemented the Terminal Reality video game engines identified above.